

## REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested. In this reply, Claims 66, 67 and 76 are amended. Accordingly, Claims 45-77 are pending, of which Claims 72-77 are withdrawn from consideration.

Claim 67 stands rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. This rejection is rendered moot by the amendment which cancels the language identified by the Examiner. Accordingly, withdrawal of the rejection of Claim 67 under 35 U.S.C. § 112, first paragraph is respectfully requested.

Claims 46-65 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,000,001 to Lazaridis.

Applicants previously filed a declaration pursuant to 37 C.F.R. § 1.131 establishing invention by inventor Takenori Idehara prior to the Lazaridis reference's earliest priority date. In the Official Action, the Examiner asserts that the declaration is insufficient because all inventors of the claimed subject matter have not signed the declaration, and because a clear explanation of how the exhibits commensurate with the claimed invention is required. As discussed in detail below, the declaration is sufficient with respect to Claims 46-65 in view of the attached chart.

First, the attached chart clearly explains how the exhibit appended to the declaration corresponds to the subject matter of Claims 46-65. Of course, the claimed invention is not limited to the embodiments disclosed in the chart.

Second, Applicants submit that Claims 46-65 are directed to subject matter invented solely by Takenori Idehara (as evidenced by the attached chart), and

therefore, it is not necessary that the declaration also be signed by Junichi Nishiyama, in order to antedate the reference with respect to those claims. See Section 715.04(I)(B) of the Manual of Patent Examining Procedure.

In view of the foregoing, the Lazaridis reference is removed as prior art with respect to the subject matter of Claims 46-65, and withdrawal of the rejections of Claims 46-65 as being anticipated by Lazaridis is respectfully requested.

Claim 66-71 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Lazaridis reference. Claim 66 has been amended and now recites, *inter alia*, a wireless communication unit for receiving device information of a data transmission device from a portable terminal without recourse to a data network, the device information containing connection information for initiating a connection from a data receiving device to the data transmission device using the data network.

In the Office Action, the Examiner asserts that column 6, lines 33-51, and Fig. 5 of Lazaridis disclose that "printer address information is received wirelessly from portable device through wireless network." From this assertion it appears that the Examiner has interpreted that any one of gateway, proxy server 20 or attachment processor and reformator 76 (hereinafter "corresponding device") corresponds to the claimed data receiving device. However, for the corresponding device, the printer address information is information for initiating a connection from the corresponding device (which is a device to send attachment to printer 72) to printer 72, which is opposite from what is recited in claim 66. Therefore, the Lazaridis reference fails to disclose the wireless communication unit as defined in Claim 66.

From the above, it is respectfully asserted that Claim 66 is patentably distinguishable over the Lazaridis reference, and withdrawal of the rejection of Claim 66 as being unpatentable over Lazaridis is respectfully requested.

Claim 67-71 are also allowable at least in view of their dependency from allowable Claim 66. Accordingly, no further discussion of Claims 67-71 is needed at this time.

As a final matter, a verified translation of the priority document JP 2000-363581 is included with this response. The perfection of this priority claim is not relied upon to overcome any objections at this time.

Early and favorable action with respect to this application is respectfully requested.

Should the Examiner have any questions regarding this Amendment or the application in general, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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| Pending Claims of 09/961,363   | Embodiment 7 disclosed on pages 79-88 of Exhibit 1   |
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| <p>46. A data transmission device to be used in a system including said data transmission device and a data receiving device which are connected to a data network, and at least one portable terminal, said data transmission device comprising:</p>  | <p>Copying machine A and mobile telephone D together correspond to a data transmission device.<br/>Copying machine C corresponds to a data receiving device.<br/>Copying machines A and C have a networking function, and are therefore both connected to a data network. See first paragraph of page 79.<br/>Mobile telephone B corresponds to at least one portable terminal.</p>  |
| <p>a first transmission unit for transmitting to said portable terminal without recourse to said data network a signal for obtaining device information from said data receiving device, the data receiving device information containing connection information for establishing a connection between said data transmission device and said data receiving device;</p> | <p>Mobile telephone D transmits a signal via a telephone line, and therefore without recourse to the data network, to mobile telephone B. See second paragraph of page 79.<br/>The signal is for obtaining device information containing connection information, i.e., an IP address, from copying machine C for establishing a connection between copying machine A and copying machine C. See second paragraph of page 79.</p> |
| <p>a receiving unit for receiving the data receiving device information from said portable terminal without recourse to said data network;</p>   | <p>Mobile telephone D receives the device information from mobile telephone B via the telephone line, and therefore without recourse to the data network. See second paragraph of page 79.</p>   |
| <p>and<br/>a second transmission unit for transmitting to said data receiving device a signal for requesting a connection based on the device information using said data network.</p>   | <p>Copying machine A transmits to copying machine C a signal for requesting a connection based on the device information using the data network. Note the step on page 82 regarding copy machine A: "Communication with copying machine C is started based on device information," and the step on page 85 regarding copying machine C: "Connection request is received from the network".</p>                                   |
| <p>47. A data transmission device as claimed in claim 46, wherein the second transmission unit transmits data to said data receiving device via said data network after establishing a connection with said data receiving device.</p>   | <p>Copying machine A transmits data to copying machine C via the data network after the connection is established. Note the step on page 82 regarding copy machine A: "Transmission data is transmitted to copying machine C".</p>   |
| <p>48. A data transmission device as claimed in claim 46, in which said first transmission unit and said receiving unit transmit and receive data with said portable terminal via a mobile telecommunication network.</p>  | <p>Mobile telephone D communicates with mobile telephone B via a telephone line, i.e., a mobile telecommunication network. See second paragraph of page 79.</p>  |
| <p>49. A data transmission device as claimed in claim 46, in which</p>   | <p>As discussed above with regard to Claim 46, the connection information</p>  |

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| said connection information contains an identification code for identifying said data receiving device on said data network.  | contains an IP address.  |
| 50. A data transmission device as claimed in claim 49, in which said identification code is an IP address.  | As discussed above with regard to Claim 46, the connection information contains an IP address.   |
| 51. A data receiving device to be used in a system including a data transmission device and said data receiving device which are connected to a data network, and at least one portable terminal, said data receiving device comprising:  | Copying machine A and mobile telephone D together correspond to a data transmission device.<br>Copying machine C corresponds to a data receiving device.<br>Copying machines A and C have a networking function, and are therefore both connected to a data network. See first paragraph of page 79.<br>Mobile telephone B corresponds to at least one portable terminal.  |
| a transmission unit for transmitting data receiving device information to said portable terminal without recourse to said data network according to a request signal received from said portable terminal without recourse to said data network, the data receiving device informing connection information for establishing a connection between said data transmission device and said data receiving device; and | Copying machine C transmits device information to mobile telephone B via local communication, and therefore the device information is transmitted without recourse to the data network. See second paragraph of page 79.<br>The device information is transmitted according to a request signal received from mobile telephone B, and therefore without recourse to the data network. See second paragraph of page 79.<br>The device information contains connection information, e.g., an IP address, for establishing a connection between copying machine A and copying machine C. See second paragraph of page 79. |
| a connection unit for establishing a connection with said data transmission device according to a signal for requesting the connection transmitted from said data transmission device based on the device information using said data network   | Copying machine C establishes a connection with copying machine A according to a signal from copying machine A for requesting a connection based on the device information using the data network. Note the steps on page 85 regarding copying machine C: "Connection request is received from the network," and "Communication with copying machine A is started based on connection request".  |
| 52. A data receiving device as claimed in claim 51, in which said transmission unit comprises a communication unit communicating in short distances for transmitting the device information to said portable terminal.  | Copying machine C communicates with mobile telephone B in short distances, e.g., via wireless Bluetooth. See first paragraph of page 79.   |
| 53. A data receiving device as claimed in claim 52, in which said communication comprises a wireless communication unit.  | As discussed above with regard to Claim 52, the communication between copying machine C and mobile telephone B may be via wireless Bluetooth.  |

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| 54. A data receiving device as claimed in claim 53, in which said communication unit carries out communication based on either Bluetooth®, IEEE 802.11, HomeRF®, or IrDA®.  | As discussed above with regard to Claim 52, the communication between copying machine C and mobile telephone B may be via wireless Bluetooth.  |
| 55. A data receiving device as claimed in claim 52, in which said communication unit comprises a wired communication unit.  | Copying machine C may communicate with mobile telephone B via a serial connection, which is a wired connection. See first paragraph of page 79.  |
| 56. A data receiving device as claimed in claim 51, in which said connection information contains an identification code for identifying said data receiving device on said data network.   | As discussed above with regard to Claim 51, the connection information contains an IP address.   |
| 57. A data receiving device as claimed in claim 56, in which said identification code is an IP address.   | As discussed above with regard to Claim 51, the connection information contains an IP address.   |
| 58. A portable terminal to be used in a system including a data transmission device and a data receiving device which are connected to a data network, and said portable terminal, said portable terminal comprising:<br><br>a first transmission unit for transmitting to said data receiving device without recourse to the data network a signal for requesting transmission of device information according to a request from said data transmission device, the device information containing connection information for establishing a connection between said data transmission device and said data receiving device; | Copying machine A and mobile telephone D together correspond to a data transmission device.<br>Copying machine C corresponds to a data receiving device.<br>Copying machines A and C have a networking function, and are therefore both connected to a data network. See first paragraph of page 79.<br>Mobile telephone B corresponds to at least one portable terminal.<br>Mobile telephone B transmits a signal via a local communication, and therefore without recourse to the data network, to copying machine C. See second paragraph of page 79.<br>The signal is for requesting transmission of device information containing connection information (i.e., an IP address) according to a request from mobile telephone B, from copying machine C for establishing a connection between copying machine A and copying machine C. See second paragraph of page 79. |
| a receiving unit for receiving the device information from said data receiving device; and  | Mobile telephone B receives the device information from the copying machine C. See second paragraph of page 79.  |
| a second transmission unit for transmitting the device information received from said data receiving device to said data transmission device.   | Mobile telephone B transmits the device information to Mobile telephone D. See second paragraph of page 79.  |
| 59. A portable terminal as claimed in claim 58, in which said first transmission unit and said receiving unit comprise a  | Mobile telephone B communicates copying machine C in short distances, e.g., via wireless Bluetooth. See first paragraph of page 79.  |

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| communication unit communicating in short distances for transmitting and receiving data with said data receiving device.   |   |
| 60. A portable terminal as claimed in claim 59, in which said communication unit comprises a wireless communication unit.  | As discussed above with regard to Claim 59, the communication between mobile telephone B and copying machine C may be via wireless Bluetooth.   |
| 61. A portable terminal as claimed in claim 60, in which said communication unit carries out communication based on either Bluetooth®, IEEE 802.11, HomeRF®, or IrDA®.                           | As discussed above with regard to Claim 59, the communication between mobile telephone B and copying machine C may be via wireless Bluetooth.   |
| 62. A portable terminal as claimed in claim 59, in which said communication unit comprises a wired communication unit.   | Mobile telephone B may communicate with copying machine C via a serial connection, which is a wired connection. See first paragraph of page 79.   |
| 63. A portable terminal as claimed in claim 58, in which said second transmission unit transmits the device information to said data transmission device via a mobile telecommunication network. | Mobile telephone B communicates with mobile telephone D via a telephone line, i.e., a mobile telecommunication network. See second paragraph of page 79.  |
| 64. A portable terminal as claimed in claim 58, in which said connection information contains an identification code for identifying said data receiving device on said data network.            | As discussed above with regard to Claim 58, the connection information contains an IP address.  |
| 65. A portable terminal as claimed in claim 64, in which said identification code is an IP address.  | As discussed above with regard to Claim 58, the connection information contains an IP address.  |
| 72. A method for establishing communication between telephones, comprising the steps of:<br>(a)establishing a first communication between the telephones via a telecommunication network;        | Mobile telephone D makes a transmission request to (i.e., establishes a first communication with) mobile telephone B via a telephone line (i.e., a telecommunications network). See second paragraph of page 79.  |
| (b)exchanging information between the telephones via the telecommunication network; and  | Mobile telephone B transmits connection information to Mobile telephone D. See second paragraph of page 79  |
| (c)establishing a second communication between the telephones via a computer network by using the information that has been exchanged via the telecommunicating network.                         | Mobile telephones B and D are in local communication with copying machines C and A, respectively (see first paragraph of page 79), and copying machine C and copying machine A are in communication over a computer network established by the exchanged connection information (see second paragraph of page 79). Therefore, such a second communication is established. |
| 73. The method of claim 72, wherein at least one of the telephones comprises a mobile phone, and wherein at least part of the telecommunication network comprises a mobile                       | As discussed above with regard to Claim 72, telephones B and D are mobile telephones, and therefore the telecommunication network is a mobile telecommunication network.  |

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| telecommunication network.  |   |
| 74. The method of claim 73, wherein the computer network comprises at least one wireless communication apparatus for communicating with the at least one mobile phone.  | Copy machine A communicates with mobile telephone D via a wireless connection. See first paragraph of page 79.  |
| 75. A method as claimed in claim 72, further comprising:<br>(d)carrying out the second communication between the telephones via the computer network after the step (c).  | Mobile telephone B transmits voice data to copying machine C (see fourth paragraph of page 79);<br>Copying machine C converts the voice data to a data format that can be transmitted via the computer network, and transmits it to copying machine A (see sixth paragraph of page 79); and<br>copying machine A converts received data to voice data and transmits it to mobile telephone D (see seventh paragraph of page 79).  |
| 76. A method as claimed in claim 75, wherein, in the step (d), voice data is transmitted from one of the telephones to the other of the telephones.   | As discussed above with regard to Claim 75, the communication is transmission of voice data from mobile telephone B to mobile telephone D.  |
| 77. A method as claimed in claim 76, wherein the step (d) comprises:<br>(d-1)generating voice data in accordance with a voice input from the one of the telephones;<br>(d-2)encoding the voice data generated in the step (d-1);<br>(d-3)transmitting the encoded voice data toward the other of the telephones;<br>(d-4)decoding the encoded voice data; and<br>(d-5)reproducing the voice on the other of the telephones in accordance with the decoded voice data. | Voice data is generated in accordance with a voice input from mobile telephone B. Note the steps on page 84 regarding mobile telephone B: "Voice is inputted through microphone," and "Voice is converted to voice data".<br>The voice data is encoded. Note the steps on page 85 regarding copying machine C: "Voice data is converted to transmission data".<br>The encoded voice data is transmitted toward the other of the telephones. Note the step on page 85 regarding copying machine C: "Transmission data is transmitted to copying machine A".<br>The encoded voice data is decoded. Note the step on page 82 regarding copying machine A: "Data is converted to voice data".<br>The voice is reproduced on the other telephone in accordance with the decoded voice data. Note the step on page 83 regarding mobile telephone D: "Voice data is reproduced". |